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Division

09 Fraud, deception and related offences

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Division 09 - Fraud, deception and related offences

Offences involving a dishonest act or omission carried out with the purpose of deceiving to obtain a benefit.

This division is disaggregated into subdivisions on the basis of the type of fraud or deception involved.

Offences in this division are classified into the following subdivisions:

091 Obtain benefit by deception

092 Forgery and counterfeiting

093 Deceptive business/government practices

099 Other fraud and deception offences

Inclusions:

Utter a forged/counterfeit document

Unlicensed person practicing a trade/profession

Identity fraud

Conspiracy to defraud

Exclusions:

Deceive a witness. These are coded to Group 1561, Subvert the course of justice.

Deception offences relating to weapons and explosives, other than those relating to licensing. These offences are coded to the relevant groups within Division 11, Prohibited and regulated weapons and explosives offences.

Subdivision

091 Obtain benefit by deception

Subdivision 091 Obtain benefit by deception

The use of deception or impersonation with the intent of dishonestly obtaining property, goods, services or other benefit, or to avoid a disbenefit.

This subdivision is not further disaggregated.

Offences in this subdivision are classified into the following group:

0911 Obtain benefit by deception

0911 Obtain benefit by deception

The use of deception or impersonation with the intent of dishonestly obtaining property, goods or services or other benefit, or to avoid a disbenefit.

Inclusions:

Identity fraud

Creation of a fictitious identity

Forgery involving the assumption of another person's identity

Cheque/credit/EFTPOS card fraud

Prescription drug fraud

False representation

State a false name

Income taxation fraud

Phishing

Use of stolen deeds/bill of sale

Make false/misleading statement with intent to obtain a benefit

Social security fraud (federal)

Social welfare fraud (state)

Sales taxation fraud

Fraud against insurance companies

Fraudulent third-party motor vehicle claims

Avoid payment of customs and excise

Imposition

Computer hacking involving fraud

Exclusions:

Obtain a benefit through fraudulent trade practices. These are coded to Group 0931, Fraudulent trade practices.

Misrepresentation of professional status. These are coded to Group 0932, Misrepresentation of professional status.

Computer hacking involving property damage. These are coded to Group 1219, Property damage, nec.

Computer hacking involving breach of government security. These are coded to the relevant groups within Subdivision 155, Offences against government security.

Computer hacking not involving theft of software, fraud, property damage or breach of government security. These are coded to Group 1612, Offences against privacy.

Subdivision

092 Forgery and counterfeiting

Subdivision 092 Forgery and counterfeiting

Actions involving the making or use of false currency or the falsifying of official documents with an intention to deceive, obtain money, goods or services, or obtain a benefit or advantage. This includes the possession of equipment to make false/illegal instruments.

This subdivision is further disaggregated by the type of forgery, and the possession of forgery equipment.

Offences in this subdivision are classified into the following groups:

0921 Counterfeiting of currency

0922 Forgery of documents

0923 Possess equipment to make false/illegal instrument

0921 Counterfeiting of currency

Offences involving the passing or possession of counterfeited coins or notes.

0922 Forgery of documents

Offences involving the passing or possession of forged official documents.

Inclusions:

Create false documents

Forge passport or visa

Forge birth certificate

Forge Commonwealth document

Forge bill of sale, share certificate

Supply false documentation to get a weapons/explosives licence/permit

Supply false documentation to get, keep or upgrade a vehicle licence/permit

Forge signature on document

Forge motor vehicle registration certificate

Exclusions:

Theft of deeds or bill of sale. These are coded to Group 0821, Theft from a person (excluding by force).

Forgery involving the assuming of another person's identity. These are coded to Group 0911, Obtain benefit by deception.

0923 Possess equipment to make false/illegal instrument

Possess or use equipment to make false or illegal documents or currency, with the intent to obtain a benefit or advantage.

Inclusions:

Use of counterfeiting equipment

Possess equipment used for the manufacture of official documents

Possess equipment/plates used for the manufacture of coins/notes

Computer hacking involving fraudulent creation of a false/illegal instrument

Exclusions:

Computer hacking involving the theft of intellectual property. These are coded to Group 0822, Theft of intellectual property.

Subdivision

093 Deceptive business/government practices

Subdivision 093 Deceptive business/government practices

Actions carried out by deceitful or dishonest conduct as part of trade or commercial business activity, with the intent to avoid liability or obtain an advantage, financial or otherwise.

This subdivision is further disaggregated by the type of deceptive business/government practice that has been committed.

Offences in this subdivision are classified into the following groups:

0931 Fraudulent trade practices

0932 Misrepresentation of professional status

0933 Illegal non-fraudulent trade practices

0931 Fraudulent trade practices

Actions carried out as part of trade or commercial activity that are intended to deceive consumers, stakeholders or other interested parties.

Inclusions:

Securities industry frauds (e.g. insider trading, issue misleading prospectus)

Breach of company code legislation (e.g. falsification of registers, false advertising)

Breach of the Trade Practices Act that constitutes a fraud offence

Fraudulent trade or commercial practices

Charge for goods or services that are not provided

Wind back speedometers on used cars

Sell used parts as new

Sell or attempt to sell a ticket for admission to entertainment where part of the proceeds are purportedly devoted to a charitable purpose without authorisation

Bait advertising (e.g. advertised sales in which stock is very limited, or is discounted for only a very brief period)

Price fixing (e.g. an agreement between business competitors to sell the same product at the same price, in order to push prices up)

Computer hacking involving fraudulent trade practices

False advertising

Exclusions:

Company offences involving the use of false instruments. These are coded to the relevant groups within Subdivision 092, Forgery and counterfeiting.

Secret commissions associated with trade practices. These are coded to Group 0999, Other fraud and deception offences, nec.

Advertisements falsely claiming a professional status. These are coded to Group 0932, Misrepresentation of professional status.

0932 Misrepresentation of professional status

Acts intended to deceive others into a mistaken belief that a person belongs to a particular profession, trade, rank or status.

Inclusions:

Advertisements falsely claiming a professional status

Impersonation of a professional or justice official

Unlicensed/unregistered person practicing a trade or profession

Exclusions:

False advertising. These are coded to Group 0931, Fraudulent trade practices.

0933 Illegal non-fraudulent trade practices

Acts intended to obtain financial gain or advantage through dishonest or unscrupulous means, not involving fraud.

Inclusions:

Selective supply (or non-supply) of a product by a manufacturer or wholesaler to business entities operating in competition with each other

Acceptance or solicitation of a 'gazumping' offer

Subdivision

099 Other fraud and deception offences

Subdivision 099 Other fraud and deception offences

Other fraud and deception offences not included elsewhere in Division 09.

This subdivision is further disaggregated based on whether the offence involved dishonest conversion, or any other fraudulent or deceptive elements.

Offences in this subdivision are classified into the following groups:

0991 Dishonest conversion

0999 Other fraud offences, nec

0991 Dishonest conversion

Dishonestly converting money or goods that come into a person's possession or control, not involving the use of deception or taking without consent.

Inclusions:

Embezzlement

Misappropriation

Steal as a public servant

Theft by a person in a position of trust (e.g. accountant, bailee, agent, collector, business partner, employee, council member)

Fraudulent conversion of a motor vehicle

Exclusions:

Theft of a motor vehicle, its contents, or parts for the purpose of dishonest conversion. These are coded to Group 0811, Theft of a motor vehicle; or Group 0813, Theft of motor vehicle parts or contents.

Theft of goods or services for the purpose of dishonest conversion. These are coded to the relevant groups within Subdivision 082, Theft (except motor vehicles).

0999 Other fraud and deception offences, nec

Other fraud/deception offences not elsewhere classified in Division 09.

Inclusions:

Collect for an unregistered charity

Pretend to exercise any kind of witchcraft, sorcery, enchantment or conjuration to tell fortunes

Interfere with boundary marks

Secret commissions